

DEPARTMENT OF THE INTERIOR
NATIONAL PARK SERVICE

RECORD OF DECISION

FINAL GENERAL MANAGEMENT PLAN AND ENVIRONMENTAL IMPACT STATEMENT;

JEFFERSON NATIONAL EXPANSION MEMORIAL
St. Louis, Missouri and East St. Louis, Illinois

The National Park Service (NPS) has prepared this Record of Decision on the *Final General Management Plan and Environmental Impact Statement for Jefferson National Expansion Memorial, St. Louis, Missouri and East St. Louis, Illinois*. This Record of Decision includes a description of the background of the project, a statement of the decision made, synopses of other alternatives considered, the basis for the decision, a description of the environmentally preferable alternative, a discussion of impairment of park resources or values, a listing of measures to minimize environmental harm, and an overview of public involvement in the decision-making process.

BACKGROUND OF THE PROJECT

Jefferson National Expansion Memorial was established December 21, 1935, when President Franklin D. Roosevelt signed an executive order directing the Secretary of the Interior to acquire property and develop the Memorial along the riverfront in downtown St. Louis, Missouri. The 91 acre Memorial was the first Secretarial designation under the Historic Sites Act of 1935, and has always been administered by the National Park Service (NPS). The Memorial honors the memory of the pioneers of U.S. westward expansion, and its construction served as the central foundation in revitalization efforts for the entire downtown section of St. Louis. The Gateway Arch is an icon within the city, a major tourist destination, and the symbolic portal to the American West.

Between 1939 and 1942, 40 square blocks of condemned buildings were razed to make way for the Memorial. Only the Old Courthouse and the Old Cathedral were saved and still stand. In 1940, the City of St. Louis gave the Old Courthouse to the National Park Service and it was incorporated into the Memorial. Groundbreaking for the Gateway Arch occurred on June 23, 1959, and the structure was completed in October of 1965. The landscape design and Museum of Westward Expansion were completed during the following twenty-five years. Legislation was passed in 1984 and 1992 establishing the Jefferson National Expansion Memorial Addition in East St. Louis, Illinois. Though the legislation authorized an addition of approximately 100 acres, the boundary has yet to be determined and property has yet to be acquired.

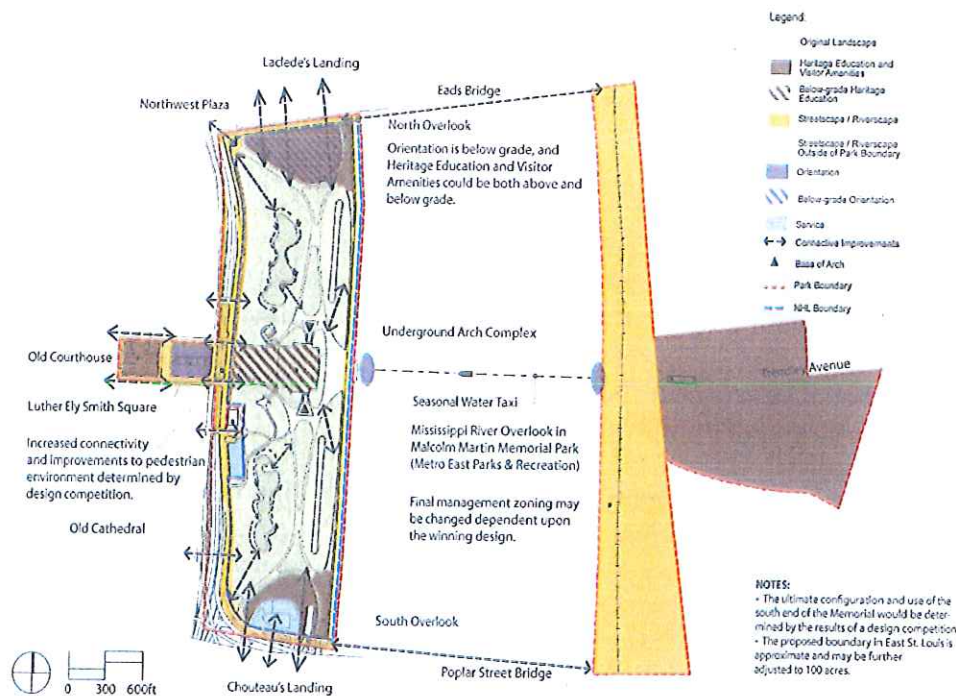
The last comprehensive master plan for the Memorial was completed in 1962. This general management plan provides a framework for proactive decision-making, resource management, visitor use and development, and prescribes the desired future conditions of these same resources and the visitor use environment. The approved plan is critical for guiding operations and management of the Memorial over the next 15-20 years.

Management decisions that must be made where law, policy, or regulations do not provide clear guidance will be based on the Memorial's purpose, the range of public expectations and concerns, resource analysis, the evaluation of the cultural, natural, and social impacts of alternative courses of action, and consideration of long-term economic costs.

The concepts and alternatives presented in the *Final General Management Plan / Environmental Impact Statement* for the Memorial are based on a thorough consideration of the best available information on Memorial resources and visitor experiences. Alternative 3, the preferred alternative in the final plan, presents a distinct vision that both preserves the resources that contribute to the Memorial's significance and at the same time provides for the rehabilitation of many features and the development of new facilities to expand education opportunities and visitor amenities at the Memorial.

DECISION (SELECTED ACTION)

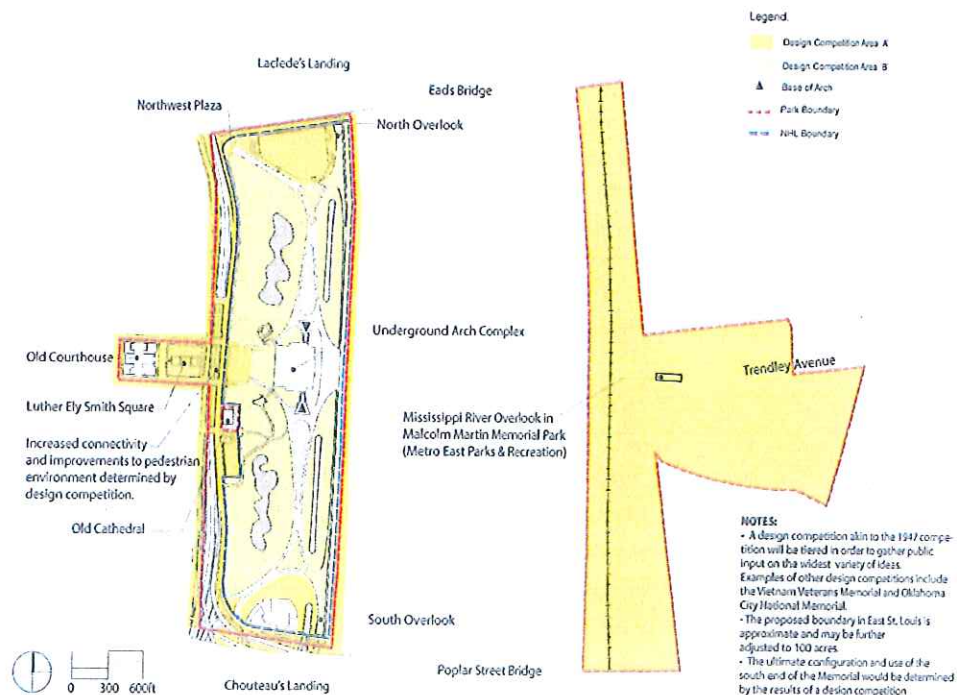
The NPS will implement the preferred alternative as described in the *Final General Management Plan / Environmental Impact Statement* issued on October 23, 2009 with one alteration to the proposed boundary in East St. Louis, Illinois and a technical correction to the map to note the water taxi between St. Louis, Missouri and East St. Louis, Illinois will operate seasonally.



Alternative 3; "Program Expansion", the preferred alternative, will revitalize the Memorial by expanded programming, facilities, and partnerships. The National Park Service will capitalize on multiple opportunities to expand visitor experience throughout the Memorial. In order to gain the widest breadth of ideas for expanding interpretation, education opportunities, and visitor amenities at the Memorial, a design competition, akin to the 1947 competition, will be initiated by the National Park Service in close coordination with partners. Project funding will not come all at once but rather will most likely be provided by partners, donations, and other non-federal and federal sources. Private funding will be required in order to fully implement the winning entry of the design competition. In addition to considering the "winning" ideas from the competition, the National Park Service will continue the

educational and interpretive programs currently offered at the Memorial and expand opportunities for visitors to participate in more interactive experiences across the Memorial grounds. The grounds surrounding the Gateway Arch will be managed in such a way as to accommodate and promote more visitor activities and special events than are currently provided. The National Park Service will actively coordinate with the City and State to enhance the pedestrian environment around the Memorial by developing a unifying streetscape along the Gateway Mall and the other streets adjacent to the Memorial, including Leonor K. Sullivan Boulevard and the riverfront levee.

The National Park Service will use the design competition to seek opportunities to enhance existing entrances to the Memorial on the north and south, as well as to capitalize on the primary axis between the Old Courthouse and the Gateway Arch with new entrances on the west and east and by establishing a new east portal linking East St. Louis to the Gateway Arch grounds by water taxi. A new external and internal visitor transportation system will be designed as part of the competition. The ultimate configuration and use of the south end of the Memorial will be determined by the results of the design competition. It is the agency's intention that the maintenance facility remain in the current location; however, the Memorial would vacate the area if a design should emerge from the competition that offered a compelling program for the entire south end and could assure the Memorial the same high quality maintenance facility nearby. Similarly, the design competition will vet ideas for the configuration and use of that portion of the Memorial in East St. Louis. While the entrants will be asked to respect the recent developments at Malcolm Martin Memorial Park, the National Park Service and the Metro East Park and Recreation District will entertain designs that integrate the established functions into a cohesive vision for the Memorial. While the design solutions might include the development of above ground structures within a portion of the designated Design Competition Overlay, the National Park Service will not allow the implementation of a project that would cause impairment to the Memorial, and all enhancements will be required to be located in such a manner as to preserve the integrity of the National Historic Landmark and National Register Historic District.



Major long-term adverse impacts to historic buildings and cultural landscapes are avoided. There may be minor adverse to minor beneficial short- and long-term local impacts on historic structures, with minor short term adverse and moderate adverse to major beneficial long-term impacts to the cultural landscape at the Memorial as a result of the Program Expansion alternative. Depending on the locations of design elements and the extent of ground-disturbing activities, impacts on archeological resources could range from minor beneficial to major adverse. Mechanical, electrical, and climatic conditions will be replaced and/or upgraded, creating moderate long-term beneficial impacts to the Memorial curatorial resources and museum collections.

Depending on the results of the design competition, critical habitat for the federally listed Threatened species, decurrent false aster, could be impacted, but any future development that might result from the design competition would be preceded by a site survey to determine if the species is present within the study area. Consultation with the U.S. Fish and Wildlife Service will be required as part of the design process and prior to any construction.

Alternative 3 will have moderate to major beneficial short-term impacts on visitor use and moderate beneficial long-term impacts due to the development of new facilities. Improvements in barrier-free access and streetscapes are expected to increase connectivity to downtown St. Louis and to have a long-term beneficial impact on the visitor experience. Modification and rehabilitation of exhibits and heritage programs, including more interactive experiences, is expected to improve visitor opportunities, attracting new visitors and encouraging more use of underutilized facilities.

The expected improvements to the flow and circulation of visitors to the Memorial, depending upon the outcome of the design competition, could create moderate long-term beneficial impacts on transportation resources. Visitation to the Memorial will have a long-term beneficial economic impact due to visitor spending and expenditures associated with operations at the Memorial, though the magnitude is indeterminate at this time. Improvements to streetscapes and connectivity with local neighborhoods are expected to have long-term beneficial impacts on land use within and immediately adjacent to the Memorial. Changes in management in the East St. Louis addition are expected to have long-term beneficial impacts on local land use, though purchase of lands for Memorial expansion in East St Louis could have a minor, adverse fiscal impact to local government taxing entities.

Memorial operations will be impacted in this alternative and will range from major beneficial to major adverse. Much depends on the outcome of the design competition, and whether the new programs and elements that emerge from the competition come with additional financial resources for operations.

OTHER ALTERNATIVES CONSIDERED

Alternative 1, the no action alternative, reflected current conditions and activities at the Memorial. This alternative was provided as a baseline against which to compare the other "action" alternatives. The Memorial would have continued to function much the way it does today, and the NPS management of the site would have continued to be based upon the 1962 *Jefferson National Expansion Memorial Master Plan Handbook*, which has guided park managers on the completion and preservation of the Memorial grounds up until the release of this plan. As funding would have permitted, the National Park Service would have continued to look for opportunities to complete unfinished portions of the design, according to *The Secretary of the Interior's Standards for the Treatment of Historic Properties*, as well as *Guidelines for the Treatment of Cultural Landscapes* and the treatment recommendations of the *Cultural Landscape Report for Jefferson National Expansion Memorial* (rev. 2010).

Under the no action alternative, no major changes, or new construction projects would have been undertaken. Mechanical, electrical, and climatic conditions at the Old Courthouse would have continued to cause minor to moderate adverse impacts to the Memorial curatorial resources and museum collections. The appearance of the Memorial grounds would have remained unchanged and necessary repairs to landscape elements would have continued to be made, creating overall long-term minor to moderate beneficial impacts to the cultural landscape. Natural resources conditions would have remained unchanged. The visitor experience would have had minor to moderate adverse impacts due to the lack of accessibility and connectivity between the Memorial and the surrounding city, unfriendly streetscapes, and aging exhibits. Transportation and access would have also continued to experience minor adverse impacts due to the lack of accommodation of alternative means of transportation and the separation between the Memorial and public rail transportation lines. The socioeconomic condition would have remained unchanged and the lack of focus on planning activities for the East St. Louis Addition would have continued to create a minor long-term adverse impact on land use. Minor to moderate adverse impacts to Memorial operations would have continued due to current funding constraints.

Two other action alternatives for managing the park were evaluated in the *Final General Management Plan / Environmental Impact Statement*. Alternative 4, "Portals", focused on revitalizing the Memorial through enhanced visual and physical connections from the surrounding neighborhoods to the Memorial. It featured the development of four portals from the north, south, east, and west as formal entrances into the Memorial. Capitalizing on the established visual link between the Old Courthouse and the Gateway Arch, the east-west axis would have been strengthened with a new east portal, linking East St. Louis to the Gateway Arch grounds by water taxi, and the creation of an expanded west portal that included a wide at-grade lid or deck above the recessed highway to provide additional open space. Directly above the lid/deck, two elevated pedestrian bridges would have been constructed for visitors to walk between Luther Ely Smith Square and the Gateway Arch grounds. The north portal would have been improved at both the northwest plaza (at Memorial Drive and Washington Avenue) and in the vicinity of the MetroLink station at Eads Bridge. The south portal would have provided improved visitor access and orientation to the south end of the Memorial grounds and riverfront. Pedestrian at-grade improvements would have been made at all major entrances. Further connectivity would have been promoted with a new transportation system linking visitor attractions within and outside of the Memorial. The National Park Service would have actively coordinated with the City and State to enhance the pedestrian environment around the Memorial by developing a unifying streetscape along the Gateway Mall and the other streets adjacent to the Memorial, including Leonor K. Sullivan Boulevard and the riverfront levee.

The Portals alternative may have resulted in local negligible to moderate long-term adverse and moderate to major long-term beneficial impacts on the cultural landscape at Jefferson National Expansion Memorial. The implementation of the Portals alternative would have resulted in moderate long-term beneficial impacts on curatorial resources and museum collections. Implementation of alternative 4 may have created moderate long-term beneficial impacts on visitor opportunity and use. Visitor opportunities and use were expected to improve with redesign of exhibits at the Museum of Westward Expansion and the Old Courthouse and development of barrier-free access to the riverfront and museum. Improvements in streetscapes, the introduction of a new transportation system, and a water taxi service were expected to increase connectivity to local neighborhoods in downtown St. Louis and East St. Louis, and have a long-term beneficial impact on visitor opportunities and use. Improvements to pedestrian circulation and parking resources, as well as transit enhancement, would have resulted in minor to major long-term local beneficial impacts on transportation resources at and surrounding the Memorial. The Memorial would have continued to be a major attraction for visitors coming to the St. Louis area, and its appeal to local residents and visitors was expected to have a minor

positive increase on visitation under this alternative. Visitation to the Memorial would have been a long-term minor beneficial economic impact due to visitor spending and expenditures associated with operations at the Memorial, though the impacts would have been focused within the local geographic area. Implementation of the Portals alternative would have had a long-term moderate beneficial impact on local land use. The expanded facilities would have required a commensurate increase in NPS operational resources.

Alternative 5; "Park into the City" was intended to extend the visitor's experience of the Memorial into the surrounding city. In this alternative the Memorial would have been revitalized by emphasizing enhanced services and visual themes that begin and continue into adjacent neighborhoods and areas, and by addressing the transportation and access challenges of the Memorial. The single largest change to the character of the Memorial would have been caused by the removal and rerouting of Memorial Drive away from the Memorial between Poplar and Locust Streets. With the removal of this major thoroughfare from the Memorial's boundary, the edge of the Memorial was planned to be transformed into a series of large pedestrian plazas, which would have increased connectivity between the Old Courthouse and the Gateway Arch, all centered on Luther Ely Smith Square. Connectivity would have been further promoted with expansion into East St. Louis, Illinois and a new transportation system linking visitor attractions within and outside the Memorial. The National Park Service would have actively coordinated with the City and State to enhance the pedestrian environment around the Memorial by developing a unifying streetscape along the Gateway Mall and the other streets adjacent to the Memorial, including Leonor K. Sullivan Boulevard and the riverfront levee.

The Park into the City alternative may have resulted in long-term moderate to major beneficial and minor to moderate adverse local impacts on the cultural landscape at Jefferson National Expansion Memorial. The implementation of the Park into the City alternative would have resulted in local moderate long-term beneficial impacts on curatorial resources and museum collections. The Park into the City alternative would have had moderate long-term beneficial impacts on visitor opportunity and use. Visitor opportunities were expected to improve with the redesign of exhibits at the Museum of Westward Expansion and the Old Courthouse and development of barrier-free access to the riverfront and the museum. Improvements in streetscapes and the introduction of a new transportation system were expected to increase connectivity to local neighborhoods in downtown St. Louis, and to have had a long-term beneficial impact on visitor opportunities and use. Improvements to pedestrian circulation and transit enhancement would result in moderate to major beneficial impacts to transportation resources. The implementation of alternative 5 would have had a long-term moderate beneficial impact on local land use. The expanded facilities would have required a commensurate increase in NPS operational resources.

BASIS FOR DECISION

In reaching its decision to select the preferred alternative, the National Park Service considered the purposes for which the Memorial was established and other laws and policies that apply to the management of this unit. The National Park Service also considered and incorporated public comments, including American Indian consultation and other agency consultation, received during the planning process.

The National Environmental Policy Act (NEPA) established a national policy to "...encourage a productive and enjoyable harmony between man and his environment..." in order to promote efforts that would prevent or eliminate damage to the environment, stimulate human health and welfare, and enrich public understanding of the ecological systems and resources important to the nation. NEPA directs Federal decision makers to incorporate environmental information (natural, cultural, and

socioeconomic resources) into agency decision making, in order to better understand the consequences of taking Federal actions.

The Council on Environmental Quality (CEQ) then established regulations requiring agencies to identify the alternative that is considered to be environmentally preferable, but did not require the Federal agency to adopt the environmentally preferable alternative as the agency's preferred alternative. Agencies have wide latitude in making difficult judgments to discuss its preferences among the alternatives considered based on relevant factors including economic and technical considerations and agency statutory missions. An agency shall identify and discuss all such factors including any essential considerations of national policy which were balanced by the agency in making its decision and state how those considerations entered into its decision. When the public and agencies are clearly faced with a choice, the decision maker and others must consider whether the decision is in accordance with the congressionally declared policies of the act.

In this instance, the National Park Service considered a no action alternative and three action alternatives, each of which provided different scenarios for meeting the purpose and need objectives of this plan (stated in Chapter 1 of the GMP/EIS). In addition to the impact topics discussed at some length, and the planning issues which generated the need for this plan, the National Park Service also took into consideration the strong local preference for riverfront redevelopment and downtown economic stimulus.

The original competition and construction for the Gateway Arch led to a revitalization of the downtown area sixty years ago. Another design competition on a national scale would give the National Park Service an excellent opportunity to connect the Memorial to the American public in a multiplicity of ways. It would benefit the agency with ideas from a wide spectrum of creative design professionals toward resolving the Memorial's greatest challenge of continuing to make a physical, emotional, and intellectual connection with the visiting public. The National Park Service believes that a design competition would once again serve as a catalyst for civic and economic rebirth.

For these reasons the National Park Service has identified alternative 3 as the preferred alternative, rather than alternative 5, which is the environmentally preferable alternative. The National Park Service believes the identification of alternative 3 is in accordance with the congressionally declared policies of the National Environmental Policy Act.

FINDINGS ON THE ENVIRONMENTALLY PREFERABLE ALTERNATIVE

The environmentally preferable alternative is the alternative that will promote national environmental policy as expressed in Section 101 of the National Environmental Policy Act (NEPA). The CEQ regulations implementing NEPA require that an agency identify the alternative that is considered to be environmentally preferable. According to CEQ guidance (*Forty Most Asked Questions Concerning CEQ's NEPA Regulations*, 23 March 1981), the environmentally preferable alternative is "...the alternative that causes the least damage to the biological and physical environment; it also means the alternative which best protects, preserves, and enhances historic, cultural, and natural resources" (Q6a). For the National Park Service, the no action alternative can be considered in identifying the environmentally preferable alternative. Thus, the environmentally preferable alternative at Jefferson National Expansion Memorial is that which best meets these goals.

Alternative 5: Park into the City has been identified as the environmentally preferable alternative for this study because it is the alternative that would best protect, preserve, and enhance historic, cultural, and

natural resources, especially in regard to enhancing the physical resources. While alternative 1 would simply cause the least damage to the biological and physical environment because it represents little change over current conditions, most damage resulting from alternative 5 would be short-term and would result in an overall enhancement of Memorial resources. Alternative 1 would not enhance the Memorial above the existing conditions. Additionally, short-term effects would generally not adversely affect resources central to its listing as a National Historic Landmark and National Register District, but would create long-term beneficial effects of these same resources by realizing many of the original design concepts for the Memorial as a whole.

Alternatives 3, 4, and 5 would focus on revitalizing the Memorial through increased connections with the surrounding neighborhoods. All of the three action alternatives would preserve important cultural and natural features of the Memorial equally well. Overall, alternative 5 would most successfully balance natural and cultural resources with the enhanced use of the Memorial. Alternative 3 was not considered environmentally preferable because of the greater amounts of ground disturbance, and potential for impacts to archeological resources due to the enlargement of the Museum of Westward Expansion and potential excavation for building an above or below ground structure in Luther Ely Smith Square. Alternative 4 was not considered environmentally preferable because of the greater amounts of ground disturbance, and potential for impacts to archeological resources due to the enlargement of the Museum of Westward Expansion, the construction of a new visitor facility under Luther Ely Smith Square, and placing the parking lot next to the Old Cathedral underground.

FINDINGS ON IMPAIRMENT OF PARK RESOURCES AND VALUES

In addition to assessing the environmental consequences of implementing the alternatives, National Park Service (NPS) management policies require that a determination be made as to whether actions would impair park resources. The fundamental purpose of the National Park Service, as established by the 1916 Organic Act and reaffirmed by the General Authorities Act of 1970, mandates the conservation of park resources and values. The NPS managers always must seek ways to avoid, or to minimize to the greatest degree practicable, adverse impacts on park resources and values. However, the laws do give the National Park Service the management discretion to allow impacts to park resources and values, when necessary and appropriate, to fulfill the purposes of a park, as long as the impact does not constitute impairment of the affected resources and values. That discretion is limited, however, by the statutory requirement that the National Park Service must leave park resources and values unimpaired, unless a particular law directly and specifically provides otherwise. The prohibited impairment is an impact that, in the professional judgment of the responsible NPS manager, would harm the integrity of park resources or values, including the opportunities that would otherwise exist for the enjoyment of those resources and values. An impact to any park resource or value may, but does not necessarily, constitute impairment.

In determining whether impairment would occur, National Park Service managers examine the duration, severity, and magnitude of the impact; the resources and values affected; and direct, indirect, and cumulative effects of the action. According to National Park Service policy, "An impact will be more likely to constitute an impairment to the extent that it affects a resource or value whose conservation is (a) necessary to fulfill specific purposes identified in the establishing legislation or proclamation of the park; (b) key to the natural or cultural integrity of the park or to opportunities for enjoyment of the park; or (c) identified as a goal in the park's general management plan or other relevant National Park Service planning documents" (Management Policies 2006).

After analyzing the environmental impacts described in the *Final General Management Plan / Environmental Impact Statement* (and public comments received on the draft document), the National Park Service has determined that implementing the preferred alternative will not constitute an impairment of the Memorial's resources and values. Implementation of the preferred alternative will protect and enhance the Memorial's resources, and provide for high-quality visitor experiences. No actions will be permitted as part of the preferred alternative that will adversely affect resources or values to a degree that will prevent the National Park Service from fulfilling the purposes of the Memorial, threaten the integrity of the Memorial, or eliminate opportunities for people to enjoy the Memorial.

MEASURES TO MINIMIZE ENVIRONMENTAL HARM

The National Park Service has investigated all practical means to avoid or minimize environmental impacts that could result from implementation of the selected alternative. The measures for minimizing environmental impacts are presented in detail in the *Jefferson National Expansion Memorial Final General Management Plan / Environmental Impact Statement*.

Mitigation measures will be applied to all future actions that are guided by this approved plan. The results of design competition proposals will require subsequent National Environmental Policy Act compliance that will take into account relevant laws, policies and consultation for all future actions.

PUBLIC AND AGENCY INVOLVEMENT

This *Final General Management Plan / Environmental Impact Statement* for the Memorial represents input and ideas presented by the NPS, other agencies, American Indian tribes, and the general public. Consultation and coordination among the tribes, agencies, and the public were a fundamental component of this planning process.

Public Meetings and Outreach

Public meetings, newsletters, paid announcements and press releases were used to keep the public informed and involved in the planning process for the Memorial. A mailing list was compiled consisting of American Indian tribes, governmental agencies, nongovernmental organizations, businesses, legislators, local governments, and interested citizens.

The public was notified of the National Park Service planning effort via: (1) a Federal Register notice of intent, dated June 12, 2008, (Volume 73, Number 114, page 33454) to prepare the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement*; (2) distribution of the first newsletter for public scoping in June 2008; and (3) a press release announcing a public comment opportunity, including public meetings held during Summer 2008 to comment on the draft management zones and preliminary alternatives.

Newsletter #1 introduced the concepts of general management plans (GMPs) and environmental impact statements (EISs). It outlined the draft planning issues as defined by the planning team and explained the Memorial's purpose, fundamental resources and values, significance, and interpretive themes. It also contained descriptions of five preliminary alternatives that illustrated how the Memorial might look in the future, and how the draft management zones would apply to each preliminary alternative in different regards. Newsletter #1 solicited public input and participation in the refinement of preliminary alternatives through an attached comment form, by invitation to two public open houses, and via web link to the Memorial's General Management Plan website. Providing a basic timeline for the GMP/EIS

planning process, this newsletter was posted on the Memorial's General Management Plan website, published in the St. Louis Post-Dispatch on June 19, 2008, and distributed at the public open houses.

Newsletter #2 summarized the public scoping comments. It described the history of the Old Courthouse, laid out the subsequent steps of the planning process, and provided an updated timeline for the planning process. A summary of public comments was posted on the Memorial's website in September 2008. As a result of public comment and further deliberations of the planning team, including environmental analysis, the preliminary alternatives were revised. Prior to the identification of a preferred alternative, a value analysis decision-making process, Choosing By Advantages (CBA), was undertaken. At this stage, public input, probable environmental consequences, and costs of the alternatives were thoroughly considered by the planning team.

A press release on October 21, 2008, announced the preliminary preferred alternative for the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement*. The press release provided a basic explanation of the next steps, a timeline for the remaining portion of the planning process, and an announcement that another opportunity for public comment would occur in winter 2009 on the plan. Fact sheets for each of the revised preliminary alternatives and the no action alternative were publicly posted on the Memorial's website with the press release. The fact sheets described the elements of each revised preliminary alternative and provided maps detailing the management zones. After the preliminary preferred alternative was identified, the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* was produced and made available for public review.

The public was notified that the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* was available for public review via (1) a Federal Register notice of intent, dated January 16, 2009 (Volume 74, Number 111, page 3101); and (2) a January 16, 2009, press release announcing the public comment period. The local media also provided coverage of the release of the draft plan. The document was also posted on the National Park Service's Planning, Environment and Public Comment (PEPC) website, on the Memorial's website, and distributed at public meetings. A press release on February 18, 2009, announced two public meetings on the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement*. The local media also provided coverage that announced the meetings. The primary purpose of the comment period and the public meetings was to collect input on the adequacy of the draft plan. The public meetings were held in St. Louis on February 23 and 24, 2009.

Both public meetings included a formal presentation of the draft plan by the National Park Service as well as an opportunity for formal public comments and an informal open house informational session. Approximately 62 people attended the public meetings. The National Park Service hosted two brownbag sessions regarding the draft plan that attracted approximately 30 individuals. These sessions were held on January 29, 2009, and January, 31, 2009, at the Old Courthouse and Ulysses S. Grant National Historic Site, respectively. Brownbag sessions were also hosted by the Missouri Open Space Council on February 4, 2009, the East-West Gateway Council of Governments on February 6, 2009, and The Confluence Partnership at Cahokia Mounds on February 19, 2009. Approximately 92 individuals attended these brownbag sessions. The National Park Service held two informal brownbag sessions for Jefferson National Expansion Memorial employees on February 23 and 24, 2009, with approximately 18 people in attendance.

Documents related to this planning process are available online at the Memorial's website and the National Park Service Planning, Environment and Public Comment (PEPC) website. These documents

include newsletters, public comment summaries, frequently asked questions, letters, planning updates from the Superintendent, and the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement*.

The *Final Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* is also available online at (<http://parkplanning.nps.gov>).

Public Comment

A public review and comment period on the preliminary alternatives was open from June 18 through July 14, 2008. Public scoping meetings, in an open-house format, were held on June 25 and July 1, 2008, in St. Louis, Missouri. Meetings with the Memorial staff and other National Park Service employees were also held. The primary purpose of the comment period and meetings was to introduce the draft management zones and preliminary alternatives, while gathering suggestions for their refinement. Approximately 600 people attended the public open houses, and over 700 letters and comment forms (hard copy and electronic) were received as a result of the open houses and Newsletter #1.

The public review and comment period for the *Draft General Management Plan / Environmental Impact Statement* for the Memorial began with the publication of a notice of availability of the document in the January 16, 2009, *Federal Register* beginning that same day and was open for 60 days, ending March 16, 2009. The approximately 225 individuals and organizations on the mailing list were notified that the plan was available, primarily via e-mail. Press releases were mailed to those on the mailing list for whom an e-mail address was not available. The draft plan was sent out to 183 individuals, agencies, and organizations. The National Park Service issued a press release on March 9, 2009, announcing that the public comment period was about to close and encouraging the public to comment. Approximately 130 correspondences (hard copy and electronic) were received during the public comment period. The National Park Service also received oral comments at public meetings held in St. Louis on February 23 and 24, 2009. The planning team carefully considered all public comments on the draft plan and made changes where appropriate before issuing the *Final Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement*.

Substantive public comments and letters from federal agencies, the City of St. Louis, and tribal governments were reproduced in the *Final General Management Plan / Environmental Impact Statement* along with NPS responses to substantive comments. Where appropriate, the *Final General Management Plan / Environmental Impact Statement* was revised to address the comments on the Draft.

The *Final General Management Plan / Environmental Impact Statement* was released to the public on October 23, 2009. Copies were made available to all persons and groups on the mailing list.

Agency and American Indian Consultation and Coordination

Consultation with American Indians

The National Park Service recognizes that indigenous peoples have traditional and contemporary interests and ongoing rights in lands now under NPS management, as well as concerns and contributions to make for the future as part of scoping processes in NPS GMPs and other projects. The need for government to government consultation between the United States and American Indians stems from the historic power of Congress to make treaties with American Indian tribes as sovereign nations.

Consultations with American Indians and other Native Americans such as Alaska Natives and Native Hawaiians are required by various federal laws, executive orders, regulations and policies. For example, such consultations are required to comply with Section 106 of the National Historic Preservation Act and the National Environmental Policy Act. Historically, the project study area was within the territory of the Illini Confederacy, although the Memorial and potential East St. Louis site were not the sites of villages. Disease and warfare with other tribes devastated the Illini over the course of time, leaving few survivors of the tribe. The annihilation of the tribe that lived near the Memorial and East St. Louis sites, the Cahokia, was so complete that the tribe had ceased to exist by the early 1800s. Any remnant members of the Cahokia intermarried with the Kaskaskia, a tribe which likewise suffered a catastrophic decline and merged, in 1854, with the Peoria Tribe. Today, the Peoria, who number about 2,000, live in Miami, Oklahoma.

The Osage Nation is linked to the St. Louis area through their historical involvement in the fur trade, their interests in the ancient Mississippian mound builders, and familial ties with St. Louis residents. At the time of Lewis and Clark, the Osage were the most powerful tribe in the lower Midwest. They moved from their original home along the Ohio River to western Missouri before the beginning of the French Mississippi and Missouri River fur trade in the 18th century. By 1804 the Osage held total sway over the region of western Missouri, northern Arkansas and eastern Kansas due to their ties with French fur traders and Spanish government officials in St. Louis. The powerful Chouteau family had a trade monopoly with the Osage for many years, and intermarriages with Osage women were common. The Osage called themselves Ni-U-Ko'n-Ska, or "children of the middle waters." The two main bands of the Indians lived on the Osage River (the Great Osage) and the Missouri River (the Petit or Little Osage). Treaties, some of which were negotiated in St. Louis, gradually took Osage lands in the Territory and later State of Missouri, moving them to a reservation in Oklahoma, where their tribal government is located today.

Letters were sent to the Peoria Tribe (January 2009) and Osage Nation (September 2009) requesting their involvement in the planning process and comment on the document. Consultation with the Peoria, the Osage and others related to the *Draft and Final Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* is ongoing. The Peoria Tribe of Indians of Oklahoma advised the National Park Service to contact them if, during subsequent implementation of the final plan, any archeological evidence of tribal or other American Indian habitation is found. The Osage Nation requested the opportunity to review and comment on any cultural resource surveys conducted as a result of this plan and implementation of the preferred alternative.

Consultation with the U.S. Fish and Wildlife Service

The Endangered Species Act requires in Section 7 (a) (2) that each federal agency, in consultation with the Secretary of the Interior, ensure that any action the agency authorizes, funds, or carries out is not likely to jeopardize the continued existence of a listed species or result in the destruction or adverse modification of designated critical habitat. This section of the act sets out the consultation process, which is further implemented by regulation (50 CFR 402).

In October 2008, the National Park Service initiated informal consultation with the U.S. Fish and Wildlife Service to determine the presence of federally listed Threatened and Endangered species within the project study area and the associated effect, if any, of proposed actions to listed species. Prior telephone conversations between NPS staff and U.S. Fish and Wildlife biologists in 2003 indicated that no species were present within the existing Memorial grounds and due to the urban environment and associated disturbances suitable habitat was highly unlikely to be available in the future. With the

proposal of inclusion and management of new lands in East St. Louis and a potential ferry boat operation between East St. Louis, Illinois, and St. Louis, Missouri, the National Park Service requested concurrence on preliminary determinations of effects based on proposed actions. As a result of ongoing consultation and on the ground survey work by the planning team, it was discovered that a listed Threatened species, decurrent false aster, may occur within the East St. Louis floodplain. The U.S. Fish and Wildlife Service advised the National Park Service of the need for compliance in any future project specific planning for East St. Louis during implementation of the final plan due to the likely presence of the Threatened species, the decurrent false aster. As such, consultation is ongoing and will continue throughout the implementation process. Copies of the two project newsletters and a copy of the *Draft Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* were provided to the agency and a copy of this final document will be provided for review.

Consultation with the U.S. Army Corps of Engineers and U. S. Coast Guard

Navigation in United States waters is regulated and administered by the United States Army Corps of Engineers (Corps) and United States Coast Guard (Coast Guard). Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) establishes permit requirements to prevent unauthorized obstruction or alteration of any navigable water of the United States. Navigable waters are defined as "those waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible to use to transport interstate or foreign commerce" (33 CFR Part 329). Section 404 of the Federal Water Pollution Control Act (33 U.S.C. 1344), commonly referred to as the Clean Water Act, further establishes Corps jurisdiction over navigable waters and prohibits discharge of dredged or fill material into navigable waters without permit.

A proposed water taxi operation has been identified as part of the NPS preferred alternative and therefore requires coordination with the Corps and Coast Guard. If a water taxi operation were to be implemented within this section of the Mississippi River, it would require specific designs beyond the conceptual ideas presented in this document and could likely require a Section 10 Corps permit. The National Park Service contacted the Illinois Regulatory Branch of the Corps by telephone in November 2008 regarding a potential water taxi operation, sent copies of the draft document to both the Corps and Coast Guard for review and comment, and will send copies of the *Final Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* for review.

Consultation with the Missouri and Illinois State Historic Preservation Officers

Agencies that have direct or indirect jurisdiction over historic properties are required by Section 106 of the National Historic Preservation Act to take into account the effect of any undertaking on properties listed or eligible for listing in the National Register of Historic Places. The National Park Service officially requested consultation with the Missouri State Historic Preservation Officer (SHPO) in May 2008. By letter, the Superintendent informed both Missouri and Illinois SHPOs of the initiation of this *Jefferson National Expansion Memorial General Management Plan and Environmental Impact Statement* and invited these offices to participate in the planning process and comment on the draft as it progressed. The Missouri SHPO responded by placing a representative of the office on the planning team. The Missouri State Historic Preservation Office has been involved in discussions, workshops, and document review for the length of the project. In anticipation of implementing the preferred alternative, the National Park Service is holding preliminary conversations with the Missouri and Illinois SHPOs and the Advisory Council on Historic Preservation in preparation for carrying out Section 106 for a design competition.

Copies of the two project newsletters were provided to these agencies and a copy of the draft document was provided for review. A copy of the final document will be provided for review. SHPO comments and advice were welcomed throughout the planning process for possible decisions regarding the protection and preservation of Jefferson National Expansion Memorial's significant historic properties and the State Historic Preservation Officers will continue to be engaged throughout implementation of this final plan.

Consultation with the U.S. Environmental Protection Agency

The National Park Service officially requested consultation with the U.S. EPA in January 2009 by letter. A letter received on March 11, 2009, from the Region 7, Kansas City, Kansas office of the Environmental Protection Agency provided comments and rated the draft plan preferred alternative as "Environmental Concerns -2 (insufficient information)". Their letter is reprinted in the FEIS along with the NPS response.

Consultation with the City of St. Louis

The City of St. Louis Office of the Mayor was sent a copy of the draft plan. The National Park Service received a letter in response to the draft plan on March 13, 2009. The National Park Service requested consultation from the Office of the Mayor regarding the rerouting or removal of Memorial Drive by letter on March 27, 2009. On April 15, 2009, June 4, 2009, August 13, 2009, and September 21, 2009, the City of St. Louis Department of Streets participated in meetings with the National Park Service to help facilitate the traffic study for the Memorial Drive corridor. The National Park Service also consulted with the Mayor's office regarding partnerships to expand the design competition to include city properties/streets surrounding the Memorial.

Consultation with Metro East Parks and Recreation Department

Metro East Parks and Recreation Department was sent a copy of the draft plan. The Department owns and manages the Malcolm Martin Memorial Park on the East St. Louis, Illinois riverfront, a portion of which was identified in the draft preferred alternative for inclusion within a proposed boundary expansion. The final preferred alternative did not include any portion of the Malcolm Martin Memorial Park in the proposed boundary for the Memorial. Subsequent correspondence and consultation has led the National Park Service to amend the final preferred alternative in this Record of Decision by including within the proposed boundary the western portion (approximately 12 acres) of Malcolm Martin Memorial Park. The National Park Service requested consultation with the Department regarding future facility development at the site and the implications of a design competition on the site. The Department was supportive of the design competition and potential program-related partnerships that could ensue.

Consultation with the East West Gateway Council of Governments

The National Park Service requested consultation from the East West Gateway Council of Governments regarding the rerouting or removal of Memorial Drive by letter on March 27, 2009. On April 15, 2009, June 3, 2009, and August 13, 2009, the East West Gateway Council of Governments participated in meetings with the National Park Service to help facilitate the traffic study for the Memorial Drive corridor.

Consultation with the Missouri Department of Transportation

The National Park Service requested consultation from the Missouri Department of Transportation regarding the rerouting or removal of Memorial Drive by letter on March 27, 2009. On April 15, 2009, July 2, 2009, August 13, 2009, and September 21, 2009, the Missouri Department of Transportation met with the National Park Service to help facilitate the traffic study for the Memorial Drive corridor. The Mississippi River Bridge office also participated in the meeting on July 2, 2009.

Consultation with the Illinois Department of Transportation

The National Park Service requested consultation from the Illinois Department of Transportation regarding the rerouting or removal of Memorial Drive by letter on March 27, 2009. On April 15, 2009, the Illinois Department of Transportation met with the National Park Service to help facilitate the traffic study for the Memorial Drive corridor.


Consultation with the Federal Highway Administration

The National Park Service requested consultation from the Federal Highway Administration regarding the rerouting or removal of Memorial Drive by letter on March 27, 2009. On April 15, 2009, and August 13, 2009, the Federal Highway Administration met with the National Park Service to help facilitate a traffic study for the Memorial Drive corridor.

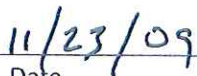
CONCLUSION

The preferred alternative provides the means for meeting the National Park Service's purposes, goals, and criteria for managing Jefferson National Expansion Memorial. Selection of the preferred alternative, as reflected by the analysis contained in the environmental impact statement, will not result in the impairment of park resources or values and will allow the National Park Service to expand programs and visitor amenities to revitalize the Memorial as a whole and to better integrate the Memorial with the surrounding communities. All practical means to avoid or minimize environmental harm from implementing the selected alternative have been adopted. Actions directed by the General Management Plan or in subsequent implementation plans will be accomplished over time.

Recommended:




Thomas A. Bradley, Superintendent
Jefferson National Expansion Memorial




Date

Approved:



Ernest Quintana, Regional Director
Midwest Region, National Park Service



Date